

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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**NORMA PADRO o/b/o LUISA OCASIO,**

**Plaintiff,**

**-against-**

**PHILLIP MORRIS INTERNATIONAL,**

**Defendant.**  
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**06 CV 1142 (NG) (LB)**

**ORDER**

**GERSHON, United States District Judge:**

On April 17, 2006, the court ordered plaintiff to show cause, within thirty days, why this action should not be dismissed for lack of subject matter jurisdiction. To date, the court has received no response from plaintiff. Accordingly, for the reasons set forth in the April 17, 2006 order, this action is hereby dismissed for lack of subject matter jurisdiction.

The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith; therefore, *in forma pauperis* status is denied for the purpose of any appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to close this case.

**SO ORDERED.**

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/S/  
**NINA GERSHON**  
**United States District Judge**

Dated: Brooklyn, New York  
May 26, 2006